

**Court of Appeals, State of Michigan**

**ORDER**

William J Vajk v City of Iron River

Docket No. 320550

Christopher M. Murray  
Presiding Judge

Kurtis T. Wilder

Pat M. Donofrio  
Judges

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The Court orders that plaintiff's motion to disqualify the attorney for defendant City is DENIED. Plaintiff has failed to sustain his burden to show a ground for disqualification. *Alpha Capital Management, Inc v Rentenbach*, 287 Mich App 589; 792 NW2d 344 (2010); *Rymal v Baergen*, 262 Mich App 274; 686 NW2d 241 (2004); MRPC 1.7(a); MRPC 1.9(a); MRPC 1.11(c)(1).

The Court further orders that plaintiff's motion for leave to amend his complaint is DENIED. Const 1963, art 9, § 32 expressly confers standing on "[a]ny taxpayer" to bring a suit in the Michigan Court of Appeals to enforce the provisions of the Headlee Amendment. See also MCL 600.308a(2). Plaintiff, as someone who is subject to the challenged fees, is a taxpayer, who may bring this suit individually. Plaintiff's wife is not a necessary party to this action. Moreover, plaintiff correctly named the County, as the governmental unit that purportedly levied or collected unauthorized taxes, as a defendant. Const 1963, art 9, § 31; MCL 600.308a(3). The county treasurer is not a necessary party to this action.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

**APR 29 2014**

Date

  
Chief Clerk